

Message Text

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ORIGIN L-02

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TAGS: UN, TSPA

SUBJECT: OUTER SPACE: SCIENTIFIC AND TECHNICAL SUBCOMMITTEE
INSTRUCTIONS

1. FOLLOWING TWO ITEMS ARE IN ADDITION TO INSTRUCTIONS
CONTAINED IN POSITION PAPER FOR APRIL 21--MAY 2 SCIENTIFIC
AND TECHNICALSUBCOMMITTEE (STSC)MEETING.

2. INTERCONNECTION OF ORGANIZATIONAL AND LEGAL ASPECTS OF
REMOTE SENSING. USDEL SHOULD SEEK TO HAVE INCLUDED IN THE
STSC REPORT A RECOMMENDATION THAT THE LEGAL SUBCOMMITTEE
TAKE INTO CONSIDERATION THOSE PORTIONS OF THE STSC REPORT
WHICH DEAL WITH REMOTE SENSING WHEN THE LEGAL SUBCOMMITTEE
RESUMES ITS DELIBERATIONS ON THE LEGAL IMPLICATIONS OF
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REMOTE SENSING AT ITS 15TH SESSION IN 1976.

3. THE USG, SWEDEN, THE UK, AND A NUMBER OF OTHER
COUNTRIES HAVE STRONGLY URGED THAT LEGAL SUBCOMMITTEE NOT

ATTEMPT TO ANALYZE THE LEGAL IMPLICATIONS OF REMOTE SENSING WITHOUT FIRST TAKING A THOROUGH LOOK AT THE POTENTIAL TECHNICAL AND ORGANIZATIONAL ASPECTS OF SUCH ACTIVITIES AS WELL, ON GROUNDS THAT A NUMBER OF LEGAL ISSUES MAY BE RESOLVED OR MOOTED BY THE CHARACTER OF THE ORGANIZATIONAL AND TECHNICAL SYSTEMS ACTUALLY DEVELOPED. FYI: FOR EXAMPLE, PROHIBITION ON THE DISSEMINATION OF DATA

CONCERNING GEOLOGICAL FORMATIONS OR TOPOGRAPHY WOULD MAKE LITTLE SENSE IN LIGHT OF THE FACT THAT SUCH DATA FOR 90 OF THE EARTH'S LAND SURFACE ARE ALREADY PUBLICLY AVAILABLE FROM LANDSAT I AND II. IN ADDITION, THE LEGAL IMPLICATIONS OF REMOTE SENSING BASED ON AN EXCLUSIVE INTERNATIONAL SYSTEM, WHICH SOME SUGGEST, WILL DIFFER FROM THOSE IF SUCH ACTIVITIES ARE CONDUCTED BY INDIVIDUAL NATIONAL SYSTEMS (WHICH WE HAVE INSISTED MUST REMAIN POSSIBLE) TOGETHER WITH POSSIBLE REGIONAL OR UNIVERSAL SYSTEMS IN BOTH THE ACCESS AND DISSEMINATION AREAS. NUMEROUS OTHER SIMILAR IMPLICATIONS COULD ALSO BE AFFECTED. END FYI.

4. USDEL WILL DOUBTLESS MEET SOME OPPOSITION TO THIS PROPOSAL, IN THAT BRAZIL, MEXICO AND SOME OTHERS HAVE ARGUED THAT LEGAL PARAMETERS FOR REMOTE SENSING MUST BE DECIDED BEFORE RPT BEFORE TECHNICAL AND ORGANIZATIONAL ASPECTS OF ANY OPERATIONAL SYSTEM ARE WORKED OUT. THE RESULT OF THE EXTENSIVE DEBATE IN THE PAST ON THESE DIFFERENCES IN APPROACH HAS BEEN A DECISION BY THE OUTER SPACE COMMITTEE THAT BOTH LEGAL AND ORGANIZATIONAL STUDIES SHOULD BE UNDERTAKEN TOGETHER. USDEL IS THEREFORE IN A STRONG POSITION TO ARGUE THAT THE RECOMMENDATION OUTLINED IN PARA 1 ABOVE IS CONSISTENT WITH PAST UNDERSTANDINGS AS WELL AS WITH COMMON SENSE. WE WOULD LIKE TO BE ABLE TO REFER DURING NEXT YEAR'S LEGAL SUBCOMMITTEE DEBATES TO SUCH AN STSC RECOMMENDATION TO HELP PURSUADE THE LEGAL SUBCOMMITTEE TO PAY ATTENTION TO THE ORGANIZATIONAL IMPLICATIONS AS IT CONTINUES ITS OWN WORK.

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5. UNRESOLVED DEFINITION OF REMOTE SENSING. WE ALSO WISH THE STSC REPORT TO REFLECT THE FACT THAT A PRECISE DEFINITION OF THE SCOPE OF THE REMOTE SENSING WHICH BOTH THE STSC AND LEGAL SUBCOMMITTEE ARE ADDRESSING HAS NOT YET BEEN AGREED. THE FRENCH-SOVIET TEXT REFERS TO REMOTE SENSING OF EARTH RESOURCES; THE BRAZIL-ARGENTINE TEXT REFERS TO REMOTE SENSING OF NATURAL RESOURCES; THE US TEXT REFERS TO REMOTE SENSING OF THE NATURAL ENVIRONMENT OF THE EARTH; THE UK ORALLY SUGGESTED DURING THE LEGAL SUBCOMMITTEE DEBATES THAT A BETTER REFERENCE MIGHT BE TO NATURAL ENVIRONMENT OF THE EARTH INCLUDING ITS NATURAL FEATURES, RESOURCES AND OTHER PHENOMENA. REFERENCES IN

AGENDA ITEMS OF RELEVANT UN BODIES HAVE BEEN SIMILARLY
DIVERSE. WE DO NOT BELIEVE IT IS POSSIBLE TO RECONCILE
THESE DIFFERENCES DURING CURRENT MEETING, BUT WE WISH
TO HAVE ON THE RECORD USG VIEW THAT THIS IS STILL AN
OUTSTANDING ISSUE. IN ADDITION, USDEL SHOULD INSIST THAT
STSC REPORT REFLECT THAT THIS ISSUE REMAINS UNRESOLVED.
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